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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/064,691

08/07/2002

Monirul Huq Tahukder

201-1389

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02/25/2005

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SOUTHFIELD, MI 48034

EXAMINER

NGUYEN, PHUNG

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/064,691

Applicant(s)

TALUKDER ET AL.

Examiner

Phung T Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer et al. (U.S. Pat. 5,880,363).

**Regarding claim 1:** Meyer et al. disclose a process for checking air pressure in vehicle tires which comprises all subject matter as follows:

- a. activating a first initiator signal from a first initiator 4 at a first tire location (figure 1, col. 3, lines 36-46);
- b. generating a first sensor signal having a first tire identification (col. 4, lines 44-56);
- c. receiving the first sensor signal (col. 4, lines 5-10);
- d. storing (assignment of the position of the motor vehicle wheels) the first sensor identification in the memory associated with the first tire location (col. 2, lines 15-20);

Meyer et al. do not specifically disclose generating an initiate status in response to the first initiator signal. Since Meyer et al. teach the control unit will check whether the data signal contains a long-wave identification signal: as only one of the data signals output by the transmitter devices can have a long-wave identification signal (col. 2, lines 40-44), it would be obvious to one of ordinary skill in the art to recognize that the device of Meyer et al. does

include the initiate status is generated in response to the first initiator signal so that the position of each wheel may be recognized by the pressure monitoring system.

**Regarding claim 3:** Meyer et al. disclose the ignition signal indicates a run status (col. 2, lines 50-57).

3. Claims 2, and 4-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer et al. (U.S. Pat. 5,880,363) in view of Mendez et al. (U.S. Pat. 5,612,671).

**Regarding claim 2:** Meyer et al. do not disclose prior to activating, generating a speed signal and activating when the speed signal is greater than a predetermined speed as claimed. However, Mendez et al. disclose method of learning tire pressure transmitter ID which comprises activating when the tire speed reaches a predetermined speed (col. 2, lines 62-67). Therefore, it would have been obvious to one of ordinary skill in the art to utilize the teaching of Mendez et al. in the system of Meyer et al. in order to activate the system and prevent errors.

**Regarding claim 4:** Mendez et al. disclose when the timer expires before receiving a first sensor signal, activating a fault indicator (col. 4, lines 49-60).

**Regarding claim 5:** Mendez et al. disclose generating a count corresponding to the number of times activating is performed without receiving the first sensor signal (col. 2, lines 65-67, and col. 3, lines 1-6).

**Regarding claim 6:** Mendez et al. disclose a spare tire (col. 2, lines 4-6).

**Regarding claim 7:** All the claimed subject matter is already discussed in respect to claim 1 above. Mendez et al. also teach confirming the first sensor signal (col. 4, lines 32-40, and col. 5, lines 22-37).

Art Unit: 2632

**Regarding claim 8:** Refer to claim 4 above.

**Regarding claim 9:** Refer to claim 2 above.

**Regarding claim 10:** Meyer et al. disclose the ignition signal indicates a run status (col. 2, lines 50-57).

**Regarding claim 11:** Refer to claim 5 above.

**Regarding claim 12:** Mendez et al. teach a memory (col. 3, lines 19-24), plus the consideration of claim 7 above; Meyer et al. teach a plurality of initiators 4 fixedly attached to the vehicle (col. 3, lines 36-46), a plurality of tires having a respective plurality of tire transmitters generating a respective plurality of transmitter identification signals (col. 4, lines 44-56), and when the plurality of sensor statuses is unconfirmed which is met by the message is sent five times to assure that it is received (col. 3, lines 1-2).

**Regarding claim 13:** Mendez et al. disclose a counter for counting a number of activations (col. 2, lines 65-67, and col. 3, lines 1-6).

**Regarding claim 14:** Mendez et al. disclose generating a fault signal (col. 4, lines 49-60).

**Regarding claim 15:** Meyer et al. disclose the controller activates the plurality of initiators (col. 3, lines 36-45).

**Regarding claim 16:** Refer to claim 2 above.

**Regarding claim 17:** Meyer et al. disclose the ignition sensor generating a run signal and an off signal (col. 2, lines 50-57).

***Response to Arguments***

3. Applicant's arguments filed 10/12/04 have been fully considered but they are not persuasive.

Applicant's argument:

Applicant argues that Meyer does not disclose generating a first sensor signal having a first sensor identification and an initiate status in response to the first sensor signal.

Response to argument:

Examiner respectfully disagrees with the Applicant's argument because Meyer does teach the data signal containing the standard measurement data, the identification value, and possibly the long-wave identification signal will be transmitted to the control unit as a HF signal (col. 2, lines 35-40). Since the term is difference but function is the same, it would be obvious to call that status of the initiating function is "an initiate status". Base on the above rationale, it's believed that the limitations of claims are still met and therefore, the rejections are still remained.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2632

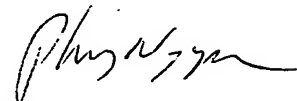
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached on 571-272-2964. The fax number for this Group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 571-272-2600.

Phung Nguyen

A handwritten signature in black ink, appearing to read 'Phung Nguyen', written in a cursive style.

Date: February 18, 2005